



## **Senate Bill 405**

### **Access to Justice Act**

As Amended June 24, 2015

#### **SUMMARY**

SB 405 will improve access to justice for court users challenging traffic infractions. The bill ensures that Californians, even those of limited means, have a realistic opportunity to challenge citations.

#### **ISSUE**

Due to increases in fines and fees, a staggering number of Californians have no access to courts when they are cited for traffic citations. Exorbitant fees can make it challenging for low-income people to resolve minor traffic infractions since many counties require fines to be paid prior to a hearing on the infraction. As a result of unclear policy and high fees, drivers often do not have the opportunity to see a judge and essentially lose the right to due process.

The proposed solution is to reverse that general practice. It will have an effect on the 4.2 million California drivers who have had their licenses suspended in the last eight years for not paying what started out as minor traffic violations or for missing a deadline to appear in court.

#### **SB 405 (HERTZBERG)**

This bill creates consistency in courts throughout the state by prohibiting courts from requiring people with “Fail to Appear” or “Fail to Pay” citations to pay full bail before seeing a judge, including fines, penalties, and assessments.

#### **SUPPORT**

Western Center on Law & Poverty (Sponsor)  
A New Way of Life Reentry Project (Co-Sponsor)  
East Bay Community Law Center (Co-Sponsor)  
Lawyers’ Committee for Civil Rights (Co-Sponsor)  
Legal Services for Prisoners with Children (Co-Sponsor)  
American Civil Liberties Union  
American Friends Service Committee  
California Association of Highway Patrolmen  
California Association of Local Conservation Corps  
California Attorneys for Criminal Justice  
California Catholic Conference, Inc. California  
California Immigrant Policy Center  
California Partnership  
California Public Defenders Association  
California Reserve Peace Officers Association



Consumer Attorneys of California  
Courage Campaign  
Department of Insurance  
Friends Committee on Legislation of California  
National Association of Social Workers  
Personal Insurance Federation of California  
PICO California  
Rubicon Programs